

Raymond Planning Board Minutes
January 06, 2011

Approved 01/20/2011

Place: Raymond High School; Media Center
Call to Order: 7:00 p.m.

Members Present: Jonathan Wood, Chairman; Carolyn Matthews, Vice Chairman; Doug Vogel, Secretary; Bill Hoitt, Board of Selectmen Ex-officio; Gretchen Gott; Don Hedman, Alternate.

Members Absent: Bill Cantwell; Jim Kent.

Staff Present: Ernest Cartier Creveling, Community Development Director; Robert Price, Planning Technician.

Pledge of Allegiance

Mr. Wood announced Alternate Don Hedman would be seated for the duration of the meeting.

Approval of Minutes

Members Sitting for Approval of Minutes: Jonathan Wood; Carolyn Matthews; Doug Vogel; Bill Hoitt; Gretchen Gott; Don Hedman.

MOTION: Ms. Matthews made a motion, seconded by Ms. Gott, to approve the minutes of December 09, 2010 as amended. The motion carried with a vote of 4-0-2, with Mr. Vogel and Mr. Hoitt abstaining.

MOTION: Mr. Hoitt made a motion, seconded by Mr. Vogel, to approve the minutes of December 16, 2010 as amended. The motion carried with a unanimous vote of 6-0-0.

Public Hearing – Raymond Sand & Gravel Site Plan

Application #2010-014 – An application for site plan review has been submitted by Jones & Beach Engineers, Inc. on behalf of Raymond Sand & Gravel, LLC. The applicant proposes to crush, transport and sell stone, gravel and rock from the site; no new excavation is being proposed within Raymond. The applicant received a variance from the Raymond Zoning Board of Adjustment on June 08, 2005 granting permission to crush only on-site material in a C.1 zone. That variance was amended November 10, 2010 allowing the applicant permission to import and crush material from the Candia side of the property. The property is shown on Raymond Tax Map 37, Lot 10; 321 NH Route 27.

Members Sitting for this Hearing: : Jonathan Wood; Carolyn Matthews; Doug Vogel; Bill Hoitt; Gretchen Gott; Don Hedman.

Applicant/Agents Present: None

Abutters/Public Present: Richard Snow, Town of Candia Board of Selectmen.

Mr. Cartier Creveling explained that the Technical Review Committee met with Raymond Sand & Gravel on January 04 and January 05, 2011. He noted several questions were raised, and the bottom line is that the plans before the Board are not complete for review purposes. He also noted that the 30-day appeal period for the denial of the motion for rehearing filed with the Zoning Board of Adjustment does not expire until January 15, 2011. He stated Raymond Sand & Gravel is requesting permission from the Board to be continued to the February 03, 2011 Planning Board meeting.

Mr. Cartier Creveling stated a member of the Town of Candia Board of Selectmen, Richard Snow, is here tonight, and he also attended the TRC meetings. He stated Mr. Snow has information he would like to present to the Board.

PUBLIC COMMENT

Mr. Snow stated he has been directed to submit a packet of information to the Raymond Planning Board. He noted this packet is the official response to this application from the Town of Candia. He noted a copy has not yet been provided to Raymond Sand & Gravel. Mr. Cartier Creveling stated he would forward a copy to the applicant.

Mr. Wood stated the Board would not read anything into the record until it has time to review it, and because the applicant is not present. He noted they would read the documents supplied by Mr. Snow during the next public hearing.

MOTION: Ms. Gott made a motion, seconded by Ms. Matthews, to continue the public hearing for Application #2010-014 to February 03, 2011 at 7:00 p.m. at Raymond High School. The motion carried with a unanimous vote of 6-0-0.

Public Hearing – Sunlite Condominium Conversion

Application #2010-015 – *An application for a condominium conversion has been submitted by S.E.C. & Associates, Inc. on behalf of Theresa Fraser and Brett Berube for property shown on Raymond Tax Map 28-2, Lot 21; 13 Juanita Avenue, upon which exists a two-family dwelling. Condominium conversions are deemed to be subdivisions under RSA 672:14, and are regulated by the Planning Board as permitted under RSA 674:35.*

Members Sitting for this Hearing: : Jonathan Wood; Carolyn Matthews; Doug Vogel; Bill Hoitt; Gretchen Gott; Don Hedman.

Applicant/Agents Present: Theresa Fraser & Brett Berube, property owners & applicants.

Abutters/Public Present: None.

Mr. Price stated the plan is complete for review purposes.

MOTION: Ms. Gott made a motion, seconded by Ms. Matthews, to accept the plan as complete for review purposes. The motion carried with a unanimous vote of 6-0-0.

Mr. Price stated the applicant went before the Technical Review Committee, which had no concerns with the plan. He noted the condominium documents have already been submitted to Legal Counsel for review, and the applicant is in the process of addressing Counsel's comments.

Mr. Wood asked what the condo fee would be. Ms. Fraser replied they do not know at this point, but that will be determined when the final version of the condominium documents is issued.

Mr. Wood asked how old the septic system is. Ms. Fraser replied it is brand new, as is the building itself.

Ms. Gott asked if the condominium documents allow for clotheslines. Ms. Fraser stated they do not mention clotheslines specifically, but they are not prohibited in any way. Ms. Gott stated she wants to ensure clotheslines are allowed.

Ms. Matthews stated Note 2 on the plan indicates the property is zoned C.1. She asked how a duplex could be placed in a C.1 zone without a variance. Mr. Price stated this plan is based on a previous approval, issued by the Board several years ago which allowed the duplex to be on this lot.

REGIONAL IMPACT CRITERIA

1. Could the proposal be construed as having the potential for regional impact based upon:
 - a. Relative size or number of dwelling units as compared with existing stock;
NO 6-0
 - b. Proximity to the borders of a neighboring community;
NO 6-0
 - c. Transportation networks;
NO 6-0
 - d. Anticipated emissions such as light, noise, smoke, odors or particles;
NO 6-0
 - e. Proximity to aquifers or surface waters which transcend municipal boundaries;
NO 6-0
 - f. Shared facilities such as schools and solid waste disposal facilities.
NO 6-0
2. Are there any factors not identified in 1a – f which should be considered in making a regional impact determination?
NO 6-0

MOTION: Ms. Gott made a motion, seconded by Mr. Hedman, that Application #2010-015 does not have regional impact. The motion carried with a unanimous vote of 6-0-0.

PUBLIC COMMENT

There was no public comment on this application.

MOTION: Ms. Matthews made a motion, seconded by Mr. Vogel, to approve Application #2010-015 for property shown on Raymond Tax Map 28-2, Lot 21; 13 Juanita Avenue.

The following conditions shall apply:

1. The conditions of approval designated as conditions precedent must be completed within six (6) months, unless otherwise specified, or this approval shall become null and void.

The following are conditions precedent:

- a. The applicant must obtain all required local, State and Federal permitting for the project, and provide copies of same to the Community Development Department;
- b. All fees authorized to be charged to the applicant pursuant to the Town of Raymond **Subdivision Regulations** including, but not limited to application fees, costs of special studies, and legal and engineering review, shall be paid by the applicant;

- c. Deeds, easements, conservation easements, condominium documents, maintenance agreements, and any other legal documentation pertinent to this project shall be reviewed and approved by Town Counsel, and where applicable, the Board of Selectmen pursuant to RSA 41:14-a;
 - d. The applicant shall address, to the satisfaction of the Town's Review Engineer, any remaining engineering issues identified during peer review. Written concurrence, from the Town's Review Engineer and the Raymond Community Development Director, with the design corrections of any identified engineering issues shall be required prior to final plan approval.
 - e. A Performance Agreement shall be executed between the Town of Raymond and the Applicant within 30 days of the plan's conditional approval date of January 06, 2011.
Failure to execute the required agreement will result in plan approval revocation.
2. The following items must be completed within twelve (12) months of the completion of conditions precedent for this project to constitute "active and substantial development or building" pursuant to RSA 674:39:
- a. Recording of the condominium plan, and the "Declaration of Condominium of Sunlite Condominiums" at the Rockingham County Registry of Deeds.
3. The following items must be completed for this project to constitute "substantial completion of the improvements" pursuant to RSA 674:39:
- a. N/A – No improvements proposed at this time.
4. Other Conditions imposed by the Planning Board:
- a. N/A
5. Off site improvement fees for specific deficiencies found to have a rational nexus to this project are as follows: *(describe in detail and amount)*
- a. N/A

The motion carried with a unanimous vote of 6-0-0.

Other Business

Members Sitting for this Discussion: Jonathan Wood; Carolyn Matthews; Doug Vogel; Bill Hoitt; Gretchen Gott; Don Hedman.

Mr. Cartier Creveling stated pursuant to the Planning Board's request, he asked the Raymond Business and Economic Development Council if any of their members had interest in filling a vacant seat on the Southern NH Planning Commission. He noted Gary Brown expressed interest, and added Mr. Brown will be discussing the vacancy with David Preece, Executive Director of SNHPC, in the near future.

Ms. Matthews requested that the Planning Board schedule a discussion in the near future regarding its legal counsel.

The Planning Board heard reports from its members serving on other boards or committees.

Adjournment

MOTION: Mr. Hoitt made a motion, seconded by Ms. Matthews, to adjourn. The motion carried with a unanimous vote of 6-0-0. The meeting adjourned at approximately 7:37 p.m.

Respectfully submitted,

Robert Price
Planning Technician